



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2006\_0781A  
Kyoko ISHIMOTO et al. : **Confirmation No. 8893**  
Serial No. 10/579,972 : Group Art Unit 1794  
Filed May 23, 2006 : Examiner Elizabeth Gwartney  
ACIDIC PROTEIN FOOD OR DRINK AND : **Mail Stop: AF**  
MATERIAL THEREOF

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 26, 2009 and the Advisory Action dated October 28, 2009 finally rejecting claims 1 and 3-8.

☒ A timely response to the final rejection has been filed.

☒ The extension fee of \$980.00 for a third month extension of time is submitted with the attached Petition for Extension of Time.

☒ The Appeal Fee of ☒ \$540.00 (other than Small Entity)

☐ \$270.00 (Small Entity)

☐ is enclosed

☐ is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

☒ is to be charged to a credit card.

☐ is not required since it was paid in a prior appeal.

☐ Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which

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☐ is enclosed.

☐ has been previously submitted.

Respectfully submitted,

Kyoko ISHIMOTO et al.

By  #59,228  
Paul D. Pyla  
Registration No. 59,228  
Attorney for Applicants

WMC/PDP/dlk  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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